

OCT 30 2006

Practitioner's Docket No. 0051.00

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carlos SCHULER, et al.

Application No.: 09/731,316

Group No.: 3731

Filed: December 6, 2000

Examiner: Michael G. MENDOZA

For: SYSTEMS AND METHODS FOR TREATING PACKAGED POWDERS

Mail Stop Appeal Brief - Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 6, 2005, final rejection of claims 1-18, 21, 23-29, 35-39, 43-49, 61 and 62 are rejected and 19, 20, 22, 30-36, 40-42, 50 and 63 are objected to.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\*

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*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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## TRANSMISSION

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\* Only the date of filing ("1.6") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8" continues to be taken into account in determining timeliness. See "1.703(f). Consider "Express Mail Post Office to Addressee" ("1.10) or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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Notice of Appeal from the Primary Examiner to Board--page 1 of 2